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Norfolk Southern Corporation
Law Department
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Norfolk, Virginia 23510-8241

James R. Paschall
General Attorney

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Writer's Direct Dial Number
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January 10, 1997

via fax 202-927-6419
Ms. Sandra Burke
Surface Transportation Board
12th Street & Constitution Ave., NW
Washington, D.C. 20423

Re: ICC Docket No. AB-290 (Sub-No. 172X), Norfolk Southern
Railway Company - Abandonment Exemption - In Granville and
Vance Counties, NC - Norfolk Southern Railway Company's Reply
to Trail Use Request

Dear Ms. Burke:

This responds to your inquiry from earlier this week. Preservation North Carolina, a foundation, has filed a request for an extension of time to negotiate for trail use as to the subject line. Norfolk Southern Railway has not consummated the abandonment of the line. Norfolk Southern Railway consents to the requested extension of time. Indeed, Norfolk Southern would consent to a full 180 day extension of time. Consent to negotiate does not require Norfolk Southern to reach a final agreement to transfer all or any part of the right of way.

Norfolk Southern does not wish to delay this matter. However, we will suggest that the trail group request 180-day extensions of time in case delays in processing the matter require a longer handling period so that the Board does not need to process multiple requests.

Norfolk Southern Railway has previously stated that some track at the O&H Junction end of the abandonment may be retained and reclassified as industrial track and that the exact end point of the trail at Henderson may not be the end point of the abandonment. Some of the right-of-way at Henderson may be excluded and sold separately.

Consent to negotiate does not require Norfolk Southern to reach a final agreement to transfer all or any part of the right of way.

Very truly yours,

James R. Paschall

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cc: Mr. J. Myrick Howard, Executive Director
Preservation North Carolina
101 St. Mary's Street
P. O. Box 27644
Raleigh, NC 27611-7644

Dear Mr. Howard,

I suggest that you ask for 180-day extensions of the negotiating period before the Board. If this cannot be done promptly before the Board issues a 90-day extension now, it may be useful to do so if any further extensions of time for negotiations are necessary.

From their experience in handling many such matters in recent years, I am sure that the Board and staff understand that real estate transactions require some research and negotiation. They may encounter unexpected delays. Moreover, our real estate staff may be handling quite a few matters simultaneously. Therefore, it is better to ask for the longest possible extension of time to cut down on multiple handling, rather than to ask for a shorter period of time in an effort to show that the parties are trying to expedite the matter or may in fact be close to concluding it.

cc: Mr. C. V. Baker, Director Real Estate and Contract Services,
Atlanta
Mr. S. C. McCurdy, Manager Real Estate, Charlotte
Mr. W. E. Ingram, Director Strategic Planning, Norfolk
Mr. M. H. Gowland, Engineer Track Design, Atlanta